



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
PIEDMONT REGIONAL OFFICE
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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Michael P. Murphy
Regional Director

April 27, 2016

Ms. Courtney L. Wright
Plant Manager
Chemours James River Plant
1201 Bellwood River Rd.
North Chesterfield, VA 23237

Location: Chesterfield County
Registration No.: 50554

Dear Ms. Wright:

Attached is a renewal Title V to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve Chemours James River Plant of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

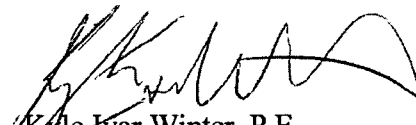
Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

Mr. David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please contact the Piedmont Regional Office at (804) 527-5020.

Sincerely,



Kyle Ivar Winter, P.E.
Deputy Regional Director

KIW/JH/50554_12_2015 TVR.docx

Attachment: Permit

The following federal regulations can be found at:

<http://www.gpo.gov/fdsys/search/showcitation.action>

Title 40, Chapter I, Subchapter C

40 CFR Part 60, Subpart H

40 CFR Part 63, Subpart JJJJJ

cc: Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III
Director, OAPP
Manager, Data Analysis
Manager/Inspector, Air Compliance
File



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Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

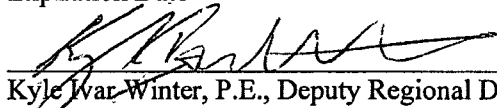
Permittee Name:	The Chemours Company, F.C., L.L.C.
Facility Name:	Chemours James River Plant
Facility Location:	1201 Bellwood Road North Chesterfield, VA
Registration Number:	50554
Permit Number:	PRO50554

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Conditions 1 through 61)

April 27, 2016
Effective Date

April 26, 2021
Expiration Date



Kyle War Winter, P.E., Deputy Regional Director

26 April 2016

Signature Date

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Facility Information

Permittee

The Chemours Company, F.C., L.L.C.
1007 Market St.
Wilmington, DE 19898

Responsible Official

Ms. Courtney L. Wright
Plant Manager

Facility

Chemours James River Plant
1201 Bellwood Road
North Chesterfield, Virginia 23237

Contact Person

Matthew Barnes
EHS Manager
(614) 429-7341

County-Plant Identification Number: 51-041-0078

Facility Description: NAICS: 325222, 325211, 31323

The Sulfuric Acid Plant (Unit 001) produces various grades of fuming and non-fuming sulfuric acid for sale to external customers. Another grade of sulfuric acid produced by the plant, designated PS3, is piped to the DuPont Spruance Plant. The basic components of the sulfuric acid production process include the blower/ turbine, dry tower, sulfur burner, A-boiler, converter, B-boiler, super-heater, economizer, heat exchanger, oleum tower, interpass absorbing tower, final absorbing tower, demister, and stack. All of these components are considered to be a single emissions unit.

A #2 fuel oil-fired emergency boiler (Unit 003) is used only when cold-starting the sulfuric acid process after a periodic maintenance shut-down, during an emergency shut-down to maintain the molten state of the sulfur, or for readiness testing.

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Sulfuric Acid Production Process							
001	S002	Plant reconstructed in 2008-2009 and consists of sulfur burner; heat recovery boilers & related boiler system equipment; sulfur feed pit and related equipment; oleum tower & oleum cooler; drying tower cooler, interpass absorbing tower, final absorbing tower, acid cooler, main blower /turbine	18.75 tons (sulfuric acid)/hr 38.3 MMBTU/hr (Sulfur Burner)	FAT Mist Eliminator Dual Absorption	D01 D002	Sulfuric Acid Mist Sulfur Dioxide	March 29, 2007
Emergency Boiler							
003	S03	#2 fuel oil-fired emergency boiler	7.9 MMBTU/hr	-----	-----	-----	-----

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

Sulfuric Acid Production Process Requirements (Unit 001)

Limitations

1. **Sulfuric Acid Production Process Requirements – Limitations - Production** - The production of 100% equivalent sulfuric acid through Unit 001 shall not exceed 164,250 tons per year, measured as a rolling average over 12 consecutive month periods.
(9 VAC 5-80-110 and Condition 5 of 03/29/2007 Permit)
2. **Sulfuric Acid Production Process Requirements – Limitations – Visible Emission Limit** - Visible emissions from the Sulfuric Acid Production stack exhaust (Stack 002) shall not exceed 10 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-110, 40 CFR 60.83(a)(2), and Condition 8b of 03/29/2007 Permit)
3. **Sulfuric Acid Production Process Requirements – Limitations –Emission Limits** - Emissions from the operation of the Sulfuric Acid Production Process (Unit 001) shall not exceed the limits specified below:
 - a. The sulfur dioxide emission rate shall not exceed 1.5 pounds per ton of 100% equivalent sulfuric acid produced. The emission rate shall be measured as 3-hour rolling averages.
 - b. Sulfuric acid mist emission rate, measured as pounds per ton of 100% equivalent sulfuric acid produced, shall not exceed 0.15 pounds per ton. (40 CFR 60.83(a)(1))
 - c. The sulfur dioxide concentration within Stack 002 exhaust shall not exceed 2,000 ppm based on a one hour average per USEPA Method 8.
 - d. The emission limitation of items 3.a and 3.c may be exceeded for a period not longer than 24 hours during start up. Within the first 12 hours during start up, Stack 002 shall not have sulfur dioxide emissions greater than 15 pounds per ton of 100% equivalent sulfuric acid produced. Between 12 and 24 hours during start up, sulfur dioxide emissions shall not exceed 6 pounds per ton of 100% equivalent sulfuric acid produced. The sulfur dioxide emission rate of 1.5 lbs/ton will apply after 24 hours. The emission rate shall be measured as 3-hour rolling averages.
 - e. The emission limits in Condition 3.d apply during any malfunction period that occurs during startup, unless the total mass of SO₂ emissions that result from keeping the sulfuric acid production process in operation during and after the malfunction is in good faith estimated to be less than the total SO₂ emissions that would result from shutting down the sulfuric acid production process during the malfunction and subsequently having another startup at the sulfuric acid production process. The permittee shall take all steps practicable to minimize the frequency of occurrence of startup and malfunction and the duration of each startup and malfunction.

In addition to these limitations, the Criteria Pollutants shall be limited to the short and long-term emission rates provided in the following table (except short term emission rates during start-up and malfunction, where the requirements in Condition 3.d and 3.e apply):

Criteria Pollutant	Hourly or Short Term Emission Rate	Annual Emission Rate
Particulate Matter (acid mist)	2.8 lb/hr	12.3 tpy
PM10 (acid mist)	2.8 lb/hr	12.3 tpy
Sulfuric Acid Mist	2.8 lb/hr	12.3 tpy
Sulfur Dioxide	28.1 lb/hr*	123.2 tpy
Nitrogen oxides (as NO ₂)	2.6 lb/hr	11.5 tpy

* 3-hour rolling average for SO₂ only

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits.

(9 VAC 5-80-110 and Condition 7 of 03/29/2007 Permit)

4. **Sulfuric Acid Production Process Requirements – Limitations –** The SO₂ emission limits in Conditions 3.a and 3.d, the SO₂ 123.2 tpy emission limit, and the sulfuric acid mist emission limit in Condition 3.b shall not be relaxed.
 (9 VAC 5-80-110)
5. **Sulfuric Acid Production Process Requirements – Limitations – Emission Controls -** Particulate emissions and sulfuric acid mist emissions from Stack S002 shall be controlled by the mist eliminator (Ref. No. D01). The mist eliminator shall be provided with adequate access for inspection and shall be in operation when the Sulfuric Acid Production Process (Unit 001) is operating.
 (9 VAC 5-80-110 and Condition 2 of 03/29/2007 Permit)
6. **Sulfuric Acid Production Process Requirements – Limitations – Emission Controls –** Sulfur Dioxide emissions from Stack S002 shall be controlled by dual absorption (Ref. No. D002). The dual absorption system shall be provided with adequate access for inspection and shall be in operation when the Sulfuric Acid Production Process (Unit 001) is operating.
 (9 VAC 5-80-110 and Condition 2 of 03/29/2007 Permit)
7. **Sulfuric Acid Production Process Requirements – Limitations – Federal Requirements -** The facility shall be operated in compliance with 40 CFR 60, Subpart A, General Provisions and 40 CFR 60, Subpart H, Standards of Performance for Sulfuric Acid Plants. The Sulfuric Acid Production Plant will meet the NSPS requirements of 4 lb of SO₂ per ton of 100 percent sulfuric acid produced and 0.15 lb acid mist/ton of sulfuric acid produced.
 (9 VAC 5-80-110, 40 CFR 60.82, 40 CFR 60.83, and Condition 12 of 03/29/2007 Permit)

Monitoring

8. **Sulfuric Acid Production Process Requirements – Monitoring** - A continuous emission monitoring system (CEMS) meeting the specifications of 40 CFR 60, Appendix B, Performance Specification 2, shall be installed to measure and record the 3-hour average sulfur dioxide emission rate from the Sulfuric Acid Production Process (Unit 001), in units of pounds of SO₂ emitted per ton of 100% acid produced. The CEMS shall be installed, calibrated, maintained, audited and operated in accordance with the requirements of 40 CFR 60.13, 40 CFR 60, Appendix F, Procedure 1, and 40 CFR 60.84 (NSPS, Subpart H – Standards of Performance for Sulfuric Acid Plants). Except during CEMS breakdowns, repairs, calibration checks, and zero span adjustments, the CEMS shall be in continuous operation when the Sulfuric Acid Production Process (Unit 001) is in operation and shall be used to demonstrate compliance with the SO₂ emission limits in this permit.
(9 VAC 5-80-110, 40 CFR 60.84, Condition 9b of 03/29/2007 Permit)
9. **Sulfuric Acid Production Process Requirements – Monitoring** – The permittee shall minimize the potential for breakdowns and downtime of the CEMS by operating and maintaining the CEMS in accordance with best practices and maintaining an on-site inventory of spare parts or other supplies to make timely repairs to the equipment as necessary.
(9 VAC 5-80-110)
10. **Sulfuric Acid Production Process Requirements – Monitoring** – In the event of CEMS downtime lasting longer than 24 hours, the permittee shall demonstrate compliance with SO₂ emission limits by conducting and analyzing suitable test methods once every three hours while the Sulfuric Acid Production Process is operating until the CEMS resumes operation. If equipment utilized by the suitable test methods is not working properly, the permittee shall estimate and record the SO₂ mass emission rate in accordance with best engineering judgment.
(9 VAC 5-80-110)
11. **Sulfuric Acid Production Process Requirements – Monitoring** - The permittee shall establish a conversion factor for the purpose of converting the monitoring data into the units of the applicable standard (Condition 3). The conversion factor shall be determined, as a minimum, three times daily in accordance with the procedures of 40 CFR 60.84(b).
(9 VAC 5-80-110 and 40 CFR 60.84(b))
12. **Sulfuric Acid Production Process Requirements – Monitoring** – The permittee shall comply with the CEMS plan for the sulfuric acid production process as approved by the Administrator.
(9 VAC 5-80-110)

13. **Sulfuric Acid Production Process Requirements – Monitoring** - The mist eliminator (D01) used to control particulate emissions and sulfuric acid mist emissions from Stack S002 shall be equipped with a device to continuously measure and record the differential pressure through the mist eliminator. The monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. The monitoring device shall be provided with adequate access for inspection and shall be in operation when the sulfuric acid production process is operating. The monitoring device shall be equipped with an alarm system that is triggered when the differential pressure is not within the manufacturer's recommended operating ranges. In the event that the alarm system is activated the permittee shall take necessary corrective actions such that the mist eliminator resumes proper operation. The permittee shall keep a log of the alarm system activation events and the corrective actions taken.
(9 VAC 5-80-110)
14. **Sulfuric Acid Production Process Requirements – Monitoring** - At least one time per week, an observation of the presence of visible emissions from Stack 002 shall be made. If visible emissions are observed, the permittee shall take timely corrective actions such that the systems resume operation with no visible emissions, or perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the systems do not exceed ten percent (10%) opacity. The VEE shall be conducted for a minimum of six minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the systems resume operation with visible emissions of 10 percent or less. The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, any VEE recordings and any necessary actions.
(9 VAC 5-80-110, 40 CFR 60.85, and Condition 8b of 03/29/2007 Permit)

Recordkeeping

15. **Sulfuric Acid Production Process Requirements – Recordkeeping** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to:
- a. Tons of 100% equivalent sulfuric acid produced by Unit 001 calculated on a daily (using operating hours) and monthly basis as the sum of each consecutive 12-month period. Annual production shall be determined for each consecutive twelve-month period.
 - b. Sulfur dioxide emission rate, measured in pounds per ton of 100% equivalent sulfuric acid produced. This emission rate shall be measured as a 3-hour block average. Records of sulfur dioxide emission rates shall be maintained for 3-hour block and annual averaging periods. The annual averaging period shall be calculated monthly for consecutive twelve-month periods.

- c. Sulfuric acid mist emission rate, measured in pounds per ton of 100% equivalent sulfuric acid produced. Records of sulfuric acid mist emission rates shall be maintained for hourly and annual averaging periods. The annual averaging period shall be calculated monthly for consecutive twelve-month periods.
- d. Stack 002 sulfur dioxide concentration in parts per million shall be continuously recorded as 1-hour averages.
- e. By the fifteenth day of each month, the permittee shall determine and record the total mass of sulfur dioxide emitted from Unit 001 in the twelve-month period preceding the current month.
- f. CEMS data, production rates and other data necessary to determine compliance with the sulfur dioxide emission limits in Condition 3.
- g. Records of the results for Stack 002 opacity observations for visible emissions.
- h. Records of measurements from the differential pressure monitoring device on the mist eliminator and records of alarm system activation events and the corrective actions taken.
- i. Continuous monitoring system (CEMS) calibrations and calibration checks.
- j. Continuous monitoring system (CEMS) inoperative periods.
- k. Records of all conversion factors required by Condition 11 and the values from which they were computed.
- l. Results of all performance testing at the site.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110, 40 CFR Part 60, Subpart H, and Condition 10 of 03/29/2007 Permit)

Testing

- 16. **Sulfuric Acid Production Process Requirements – Testing** – If additional performance testing is required to be conducted in accordance with 40 CFR 60.8, the permittee shall use the test methods and procedures in accordance with 40 CFR 60.85(a) and (b).
(9 VAC 5-80-110 and 40 CFR 60.85)
- 17. **Sulfuric Acid Production Process Requirements – Testing** – The permittee shall conduct additional performance tests during the first and the last 12-month period that this permit is in effect for sulfuric acid mist emissions from Stack S002 to demonstrate compliance with the emission limits contained in this permit. The details of the tests shall be arranged with the Piedmont Regional Office.
(9 VAC 5-80-110)

Reporting

18. Sulfuric Acid Production Process Requirements – Reporting - The permittee shall submit excess emission reports for the continuous emission monitoring systems (CEMS) referenced in Conditions 8 and 15 to the Director, Piedmont Regional Office within 30 days after the end of each calendar quarter. The periods of excess emissions are defined as any 3 hour period (or arithmetic average of three consecutive one-hour periods) where the integrated average sulfur dioxide emissions exceeds the standards defined in Condition 3. Each quarterly excess emission report shall contain, at a minimum, the dates included in the calendar quarter and the following (additional details of the quarterly reports are to be arranged with the Director, Piedmont Regional Office):

- a. A statement of the specific times when the 3-hour rolling average exceed the standard for SO₂, the actual average at the time of the exceedance and the cause for the excess emissions.
- b. A log of the CEMS downtime containing the date the monitor is unavailable, the beginning and ending times of the monitor downtime, a description of the problem, cause of the problem and the necessary corrective action to bring the monitor back into service.
- c. The date and results of the last Relative Accuracy Test Audit or Cylinder Gas Audit.
- d. A log of CEMS performance.
- e. The number of hours the Sulfuric Acid Production Process operated during the quarter.

At a minimum, all one hour averages shall be available on site at all times and shall be accessible for inspection by DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110 and 40 CFR 60.84(e))

19. Sulfuric Acid Production Process Requirements – Reporting - The permittee shall report the results of any 40 CFR Part 60 Method 9 opacity test performed as a result of Condition 14 if the test indicates the facility is out of compliance with the standard contained in Condition 2. The source shall also report the length of time associated with any exceedance of the standard and the corrective actions taken to correct the exceedance. This report shall be sent to the Director, Piedmont Regional Office within seven days of the applicable test unless otherwise noted in Condition 38.

(9 VAC 5-80-110)

20. Sulfuric Acid Production Process Requirements – Reporting - The facility shall submit an updated Risk Management Plan, in accordance with 40 CFR Part 68 Subpart G, §§ 68.190 (a-c).

(9 VAC 5-80-110 and 40 CFR Part 68 - Chemical Accident Prevention Provisions)

Fuel Burning Equipment Requirements (Emergency Boiler - Unit 003)

Limitations

21. **Fuel Burning Equipment Requirements – Emergency Boiler – Limitations – Emission Limits** - Particulate Matter emissions from the operation of the Emergency Boiler (Unit 003) shall not exceed 0.6 lb PM/MMBTU and 4.7 lb PM/hr.
(9 VAC 5-80-110, 9 VAC 5-40-900 A.1.a and 9 VAC 5-40-900 B.1)
22. **Fuel Burning Equipment Requirements – Emergency Boiler – Limitations – Emission Limits** - Sulfur Dioxide emissions from the operation of the Emergency Boiler (Unit 003) shall not exceed 2.64 lb SO₂/MMBTU and 20.9 lb SO₂/hr.
(9 VAC 5-80-110 and 9 VAC 5-40-930 A.1)
23. **Fuel Burning Equipment Requirements – Emergency Boiler – Limitations – Visible Emission Limits** - Visible Emissions from the Emergency Boiler (Unit 003) stack (Ref. No. S03) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, App. A).
(9 VAC 5-80-110 and 9 VAC 5-50-80)
24. **Fuel Burning Equipment Requirements – Emergency Boiler – Federal Requirement** - The boiler is subject to the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (MACT, Subpart JJJJJ). The boiler is considered a limited-use boiler as defined in 40 CFR 63.11237. The requirements are as follows:

Citation	Requirement
40CFR63.11201(b) and Table 2	Work practice standard, emission reduction measures and management practice requirements
40CFR63.11205	General compliance requirements
40CFR63.11214	Initial compliance requirements
40CFR63.11223(a) and (f)	Continuous compliance requirements with work practice and management practice standards
40CFR63.11225(b)	Reporting requirements- 5-year
40CFR63.11225(c) and (d)	Recordkeeping requirements

(9 VAC 5-80-110 and 40 CFR 63, Subpart JJJJJ)

25. **Fuel Burning Equipment Requirements – Emergency Boiler – Federal Requirement** - The firing of the emergency boiler with No. 2 fuel oil shall not exceed an average annual

capacity factor of 10 percent. The annual capacity factor is determined by dividing the actual heat input to the emergency boiler during the calendar year from the combustion of No. 2 fuel oil by the potential heat input to the emergency boiler if the boiler had been operating 8,760 hours at the maximum design heat input capacity.
(9 VAC 5-80-110 and 40 CFR 63.11237)

Monitoring/Recordkeeping

- 26. Fuel Burning Equipment Requirements – Emergency Boiler – Monitoring/Recordkeeping** - At least one time per month an observation for the presence of visible emissions from the Emergency Boiler stack (Ref. No. S03) shall be made if the boiler is operated that month. If visible emissions are observed the permittee shall:
- Take timely corrective action and re-conduct the observation for the presence of visible emissions to ensure that the boiler has resumed operation with no visible emissions, or
 - Conduct a visible emission evaluation (VEE) in accordance with EPA Method 9 (reference 40 CFR 60, Appendix A) for a minimum of six minutes, to assure visible emissions from the Emergency Boiler stack (Ref. No. S03) are less than or equal to 20 percent opacity. If any of the 15-second observations exceeds 20% opacity, the observation period shall continue until a total of 60 minutes of observation have been completed. Timely corrective action shall be taken, if necessary, such that the affected boiler resumes operation within 20% opacity.

The permittee shall maintain a boiler observation log to demonstrate compliance. The log shall include the date and time of the observations, name of the observer, whether or not there were visible emissions, any VEE recordings and any necessary corrective action. If the Emergency Boiler has not been operated during the month, it shall be noted in the log that a visual observation was not required.

(9 VAC 5-80-110)

- 27. Fuel Burning Equipment Requirements – Emergency Boiler – Monitoring/Recordkeeping** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:
- The name of the fuel supplier,
 - The date on which the distillate oil was received,
 - The volume of distillate oil delivered in the shipment,
 - A statement that the oil complies with the American Society for Testing and Materials specifications for fuel oil numbers 1 and 2, and
 - The sulfur content of the distillate oil.

(9 VAC 5-80-110)

28. Fuel Burning Equipment Requirements – Emergency Boiler – Monitoring/Recordkeeping - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to:

- a. All fuel supplier certifications.
- b. A maintenance schedule for the Emergency Boiler (Unit 003).
- c. Operator training records.
- d. Written operating procedures for the Emergency Boiler (Unit 003).
- e. The results of the monthly visible emission surveys as detailed and required by Condition 25 and details of any corrective action(s) taken as a result of these inspections.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent (5) years.

(9 VAC 5-80-110)

Reporting

29. Fuel Burning Equipment Requirements – Emergency Boiler – Reporting - The permittee shall report the results of any 40 CFR Part 60 Method 9 opacity test performed as a result of Condition 25 if the test indicates the facility is out of compliance with the standard contained in Condition 23. The source shall also report the length of time associated with any exceedance of the standard and the corrective actions taken to correct the exceedance. This report shall be sent to the Director, Piedmont Regional Office within seven days of the applicable test unless otherwise noted in Condition 38.

(9 VAC 5-80-110)

Facility Wide Conditions

30. Facility Wide Conditions – Testing - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-80-110, 9 VAC 5-50-30 and Condition 3 of 03/29/2007 Permit)

31. Facility Wide Conditions – Testing - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by DEQ. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-80-110 and 9 VAC 5-50-30)

Insignificant Emission Units

32. The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity 9 VAC 5-80-720 C)
1003	Gasoline Storage Tank	5-80-720 B.2.	VOC	1,000 gallons
1006	Product Truck & Rail Loading	5-80-720 B.1	PM, Sulfuric Acid Mist	200 gpm
1007	Unloading Molten Sulfur Pit	5-80-720 B.1	PM, hydrogen sulfide	-----
1008	Process Feed Molten Sulfur Pit	5-80-720 B.1	PM, hydrogen sulfide	-----
1010	#2 Fuel Oil Storage Tank	5-80-720 B.2	VOC	6,200 gallons

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Permit Shield & Inapplicable Requirements

33. Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR Part 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Auxiliary boiler's heat input rate < 10 MMBTU/hr applicability level.
40 CFR 60, Subpart Kb	Volatile Organic Liquid Storage Vessels Standards	Maximum true vapor pressure of fuel oil < 15 kPa. Gasoline storage tank capacity < 40 m ³ .
40 CFR Part 60 Subpart IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	CI RICE emergency generator constructed before applicability date of April 1, 2006; has not been modified after July 11, 2005.

Citation	Title of Citation	Description of Applicability
40 CFR Part 64	Compliance Assurance Monitoring	Sulfuric Acid Process does not meet all three criteria.
40 CFR Parts 51, 52, 70, and 71	Title V Greenhouse Gas Tailoring Rule, Phase 1	Facility is existing source currently not subject to major new source review or PSD for any pollutant.
9 VAC 5 Chapter 40 Part II – Article 21	Existing Stationary Source Emission Standards for Sulfuric Acid Production Units (Rule 4-21)	Emission standards in March 29, 2007 permit are stricter than emission standards listed in Rule 4-21
9 VAC 5 Chapter 40 Part II – Article 1	Existing Stationary Sources Standards of Performance for Visible Emissions and Fugitive Dust/Emissions (Rule 4-1)	9 VAC 5 Chapter 50- Part II- Article 1 New and Modified Stationary Sources Standards of Performance for Visible Emissions and Fugitive Dust/ Emissions (Rule 5-1) applicable after final phase of Sulfuric Acid Plant modification completed.
9 VAC 5 Chapter 60 Part II – Article 5	Emission Standards for Toxic Pollutants from New and Modified Sources (Rule 6-5)	No HAPs subject to requirements; fuel burning equipment uses only distillate oil.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-110 and 9 VAC 5-80-140)

General Conditions

34. **General Conditions - Federal Enforceability-** All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)
35. **General Conditions -Permit Expiration -** This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

- a. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
- b. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
- c. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
- d. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
- e. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant by section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

36. General Conditions -Recordkeeping and Reporting

- a. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - i. The date, place as defined in the permit, and time of sampling or measurements.
 - ii. The date(s) analyses were performed.
 - iii. The company or entity that performed the analyses.
 - iv. The analytical techniques or methods used.
 - v. The results of such analyses.
 - vi. The operating conditions existing at the time of sampling or measurement.
- b. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

- c. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - i. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - ii. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - (a) Exceedance of emissions limitations or operational restrictions;
 - (b) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - (c) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- d. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

37. **General Conditions -Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the certification. The time period to be addressed is January 1 to December 31.
 - b. The identification of each term or condition of the permit that is the basis of the certification.
 - c. The compliance status.
 - d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
- f. Such other facts as the permit may require to determine the compliance status of the source.
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9 VAC 5-80-110 K.5)

38. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Piedmont Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition 36.c of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

39. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Piedmont Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Piedmont Regional Office.
(9 VAC 5-20-180 C)

- a. The emission units that have continuous monitors subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not subject to the 14 day written notification.

- b. The Sulfuric Acid Production Process (Unit 001) is subject to the reporting and the procedure requirements of 9 VAC 5-40-50 C and the procedures of 9 VAC 5-50-50 C.
- c. Each owner required to install a continuous monitoring system (CMS) or monitoring device subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable subpart in 9 VAC 5-50-410) and either a monitoring systems performance report or a summary report form, or both, to the board quarterly. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. All reports shall include the following information:
 - i. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B.6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;
 - ii. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;
 - iii. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
 - iv. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.

All malfunctions of emission units not subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C require written reports within 14 days of the discovery of the malfunction.

(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

- 40. **General Conditions – Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)
- 41. **General Conditions -Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)
- 42. **General Conditions -Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or

reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

43. **General Conditions -Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

44. **General Conditions -Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

45. **General Conditions -Duty to Submit Information**

- a. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
- b. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of

(9 VAC 5-80-110 G.6)

9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

46. **General Conditions -Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.

(9 VAC 5-80-110 H, 9 VAC 5-80-340 C and 9 VAC 5-80-2340 B)

47. **General Conditions -Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored,

used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, material stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

48. **General Conditions -Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-80-110 and 9 VAC 5-50-20 E)

49. **General Conditions -Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

50. General Conditions -Inspection and Entry Requirements - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

51. General Conditions -Reopening For Cause - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

52. General Conditions -Permit Availability - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

53. General Conditions -Transfer of Permits

- a. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
- b. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
- c. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

54. General Conditions -Malfunction as an Affirmative Defense

- a. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
- b. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - i. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - ii. The permitted facility was at the time being properly operated.
 - iii. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - iv. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This

notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

- c. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
- d. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

55. **General Conditions -Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

56. **General Conditions -Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

57. **General Conditions -Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

58. **General Conditions -Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

59. **General Conditions -Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

60. General Conditions -Changes to Permits for Emissions Trading - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

61. General Conditions -Emissions Trading - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
- b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
- c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)